

### AWARDS OF OFFICIAL REFEREES.

### BUISON'S BUILDINGS.

With regard to certain two houses, Nos. 25 and 26, Rathbone-place, St Pancras, the district surveyor having, in pursuance of an authority in that behalf, surveyed the said houses, certified with respect thereto, to the said official referees.

"That both the buildings or houses referred to are in such a ruinous state as to be dangerous to passengers."

That for the safety of passengers it is necessary immediately to shore up both of the said buildings, and to guard in the fronts of the same.

That the works required consist of the total pulling down and rebuilding of the party-wall between the houses aforesaid, from the level of the second story (or ground floor) to the top, together with all the stacks of chimneys attached to the same :

That the fronts should be repaired, made good in cement, and otherwise secured to the new work, and

That unless these works respectively are forthwith executed in the most careful and workmanlike manner, I do hereby certify that the said buildings ought to be wholly pulled down."

Messrs. Paine and Hoskins, acting on behalf of the owner of the first-mentioned house, appealed against the said certificate on the following grounds, that is to say,

" That the said house, No. 25, is not in a ruinous state, and is not in any way affected by the condition of the said party wall, and would not require to be pulled down in case the said party-wall be not pulled down and rebuilt ;

That the said party wall requires to be wholly pulled down and rebuilt from the foundation thereof: and

That although the front of the said house, No. 25, should be secured to the new work, yet the front thereof does not require to be repaired.

And we do hereby request the said official referees forthwith to survey the said houses, and to inquire into the matters of this our appeal, and to make such award and directions in the matter as to them may seem fitting; and we do hereby further request the said official referees, should it be competent to them to include the matter in their award, to inquire into and determine whether the said wall has not been rendered ruinous by the cutting away of parts thereof by the owner or occupier of the said house. No. 26."

When the referees made their survey, the owner of the house adjoining, northwards, concurred in referring to the official referees the matter mentioned in the last paragraph of the requisition, and generally the proportion of the expenses to be borne by the said parties; and afterwards the official referees proceeded to survey the premises, as to the matter of appeal; the further consideration of the other matters being adjourned to Wednesday, the 2nd day of December, 1846, when the parties were to be heard thereon.

The award, reserving all other matters, was:—"as to the said matters of appeal against the said certificate, that the house in question, that is to say, the Wheatsheaf Public house, No. 25, Rathbone-place, is in a ruinous condition, and that it is affected by the condition of the party-wall between the house No. 25, and the house next adjoining thereto, on the north side thereof. And, further, that all that portion of the building in question which stands over the passage, or gateway, between the said two buildings, ought to be pulled down. But we are of opinion, that if the remaining portion of the building in question, south of the said passage, or gateway, be properly shored up throughout the full height of the building, from the floor of the basement story, southwards, and clear of the wall and partition between the shop and bar and the said passage, or gateway; and if the then remaining portions of the front and back wall be securely tied together with sufficient iron-ties, that it will not be necessary to pull down such remaining portion of the said house, No. 25, Rathbone-place."

In consequence of the district-surveyor's certificate, Mr. Wagstaff, builder, on the part of the owner of No. 24, sent a requisition to the referees, calling on them to confirm or modify the said certificate, and

authorise him to proceed with the works, as though the said certificate had been made under the 24th section of the Act; and to give such directions as might enable him to claim, and he repaid, such expenses as might have been incurred by him for the adjoining owner.

The award of the referees was,—“That it is not competent for the official referees to make such an award as by the 24th section of the Metropolitan Buildings Act they are authorized to make, unless the previous proceedings, prescribed by the said section, have been taken; that is to say, the notice to the adjoining owner, the official referees, and the district-surveyor; the survey by the district-surveyor, the certificate by the district-surveyor, and either the proceedings thereon; that the certificate made by the district-surveyor, under the 40th section, does not include various matters which are, or may be, comprised in a certificate made by him under the said 24th section.” Expenses to be paid by Mr. Wagstaff.

After another hearing, to determine matters

left open in the first award, also to settle by whom, and in what proportion, the works in question were to be paid for, the referees awarded, that the party-wall had not been damaged by the acts of the said Thomas Moore in such manner as to cause its ruinous state; but that the proximate cause was the decay of the story-pust at the north side of the gateway, between the two houses, and the general decay of the wall at or about the level of the roadway through from Rathbone-place to a mews behind, occasioned by the action of urine upon the brickwork, to which the wall in that part appeared to have been long and constantly exposed; and further, that the injury received by the wall from such source was not attributable to the said Thomas William Bye, inasmuch as provision appeared to have been made by him for the convenience of his customers, by urinals on the south side of the gateway. They further awarded, that the expenses of shoring up, hoarding, and pulling down, should be borne in equal moieties by such owners; and that the expenses of building the wall should be borne by the respective owners, according to the rates of the houses parted thereby. The chimney-breast, or breasts, to be paid for by those by whom the same shall be required or used, "subject, nevertheless, as to all such expenses, to the right of either party to appeal, as provided in the 47th section of the first-mentioned Act."

"And as to the requisite arch or floor over the gateway, between the two houses in question, we do hereby determine and award, that the said arch or floor, with its abutments or supports, on the south side of the said gateway, be formed and built conformably with the rule headed, "Buildings over the public way," in schedule D, part 5, of the first-mentioned Metropolitan Buildings Act: and as to the expenses of pulling down the existing floor, and building the arch or floor above-mentioned, we do hereby further award, that the same be wholly borne and paid by the owner of the said house, No. 25; that is to say, by the said Thomas William Bye." And they then order, that the works be proceeded with immediately; and in the event of Moore not proceeding with all due diligence, they authorise and direct Bye to do so.

Expenses to be paid by the applicants on the part of Mr. Bve.

NORWICH CATHEDRAL.

At a meeting of the Society of Antiquaries, on the 10th inst., when a series of drawings illustrative of Norwich Cathedral, made by Mr. J. A. Repton, and bought by the society several years ago, were exhibited, a letter was read from that gentleman relative to the present state of the cathedral. From this it appears that the old timber roof has been restored, also the carved stalls, and an oak door to the rood loft. The Pelican reading desk, long since thrown by, has been brought back. Externally, stone spires have been added to the turrets at the west end. A new stone cross, put up over the west window, Mr. Repton objected to as being like much of the modern Gothic, too *pretty*. It is desirable to draw attention to the fact that earth has accumulated on the north side of the nave, to a height of five feet above the pavement of the church, and that the Norman arcade against the walls is much injured in consequence.

**FRANCE.**

*Improvements and Embellishments of Paris.*

—Great excavations and demolitions are going on in the vicinity of the Place St. Sulpice, at the angle of Rue Mezière and du Pot-de-Fer. The houses which are to be erected in this part of the square, will be of a uniform plan with those large structures, darkened by time, which form the angle of the square towards Canetto street. The monumental fountain is so far progressed, that its main features become apparent. Large pilasters arise on the angles of the monument, and the sculpture of the capitals promises to be finely executed.

"Turning out" of "bothersome" Market-places from Paris.—A decision of the Common Council of Paris, approved by the general council of the metropolis, has suppressed the two markets d'Aval and Du Roule, hitherto used for the sale of charcoal. This encumbering (albeit not absolutely objectionable) traffic is now expelled to the market-place des Recollets, situated in a distant quarter of the Faubourg St. Martin. The general council have also voted the sum of 100,000 francs for the *salubrication* of the district of Montmartre, as well as those of Batignolles, Monceaux, and Subleville.

*Revision of the Legislation on Fire Insurances in France.*—The Secretary of State for Commerce, &c. has formed a commission for the revision of this important branch of civic legislation. This commission is formed of the most competent persons of both branches of the legislature, sprinkled with some of those numerous *employés* in the departments of commerce, industry, &c. It will be presided by the Secretary of Commerce himself, and counts amongst its members Messrs. Teste, peer of France; Rénouard, ditto; Felix Réal, deputy, &c. &c.

*Complement to Railway Communication.*—The French government, warned by the late inundations of the Loire and other rivers, as well as many other accidents which may befall the (delicate) organism of railways, and thus delay the ordinary course of intelligence transmission, have voted a sum of 200,000 francs for keeping up the regular post-horse establishments, especially on such transversal roads, by which main points of railway communication can be gained, if others have become inaccessible.

## GAS

We have often remarked upon the inferiority of the gas furnished by the metropolitan companies, and errors in their management, and are glad to find that a company ("The Western") is establishing, for the supply, on a large scale, of gas produced from Cannel coal. The nature of this gas is well known in the north, and used throughout the houses of the best people there, many of whom, living in London in the winter months, are anxious to have it introduced into their houses here.

The principal works of the company will be at Kensal-green. We perceive by a case recently before the Court of Chancery, that violent opposition has been raised, which, from the judgment of the court on that occasion, will, we are inclined to believe, altogether fail, as, by the evidence produced on the part of the company by numerous scientific men of the first character, to which, before we would speak on the subject, we have given attention, it appears clearly, that the introduction of a pure and brilliant gas can be accomplished without any of the nuisances created by the methods now used.

If the new company, by their improved processes, and the spur their establishment will prove to the existing companies, enable the public to obtain *pure gas*, at a *cheap rate* (as they may do), and so facilitate its more general use, it will be a subject for great congratulation, and will entitle them to general support.

**FLIXTON HALL, SUFFOLK, DESTROYED.**—This interesting Elizabethan structure, illustrated in our pages a short time ago,\* was totally destroyed by fire on Saturday night last, together with its valuable gallery of paintings. It is attributed to the overheating of a flue in the centre of the hall.

\* See page 330, *ante*.